

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLYLE LEE COLE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 1:21-cv-00269-HBK

ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

(Doc. No. 1)

Petitioner is proceeding on his petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. (Doc. No. 1). Petitioner, a prisoner incarcerated in Santa Barbara County, which is located within the jurisdiction and venue of the Western Division of the United States District Court for the Central District of California, challenges his February 24, 2014 federal sentence and conviction entered by the Fresno Division of this Court.

Here, Petitioner brings his claims under § 2241, pursuant to the savings clause of § 2255. “[A] habeas petition filed pursuant to § 2241 must be heard in the custodial court . . . even if the § 2241 petition contests the legality of a sentence by falling under the savings clause.” *Hernandez v. Campbell*, 204 F.3d 861, 865 (9th Cir. 2000). Thus, the Court finds in its discretion “and in furtherance of justice” that the petition should be transferred to the Central District of California. 28 U.S.C. §§ 1404(a), 2241(d).

1. The Clerk shall transfer this action to the United States District Court for the Central District of California, Western Division; and
2. All future filings shall reference the new case number assigned and shall be filed at:

IT IS SO ORDERED.

Helena M. Barch-Kuchta
HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE